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"The object of the Society shall be the collection, preservation and publication of historical and genealogical matter relating to the early settlement and subsequent history, especially of New Haven and its vicinity, and incidentally of other portions of the United States."

The museum and library of the Society are open to the public. There is a fee of $2 to non-members for use of the library; the museum is open free of charge. In addition to the Whitney Avenue building, the Society owns the Pardee-Morris House at 325 Lighthouse Road, Morris Cove, New Haven. Built originally about the middle of the eighteenth century, it was burned during the British invasion in 1779. Rebuilt at once, it incorporates surviving portions of the older structure. The Pardee-Morris House is now restored and furnished appropriately and is open to the public during the summer months.

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Cover: The Louis Comfort Tiffany window which is located above the pulpit in Center Church. The Reverend John Davenport, surrounded by Theophilus Eaton and other settlers, is depicted preaching on the colonists' first Sunday in New Haven in April, 1638. *Photograph curtesy of First Church of Christ in New Haven.*

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The Eaton Legacy:
A Sermon Preached by Floyd M. Shumway at the First Church of Christ in New Haven on April 26, 1981

The Eaton Legacy

Texts: There were giants in the earth in those days. Genesis 6:4
By their fruits ye shall know them. St. Matthew 7:20

Last year at this time Reverend Whittemore preached on the life and significance of John Davenport, characterizing him as an idealistic though somewhat fanatical "Puritan Patriarch" and "a tremendous Christian Soldier." I have been asked to preach today on Theophilus Eaton, Davenport's friend and with him cofounder of the city in which we live. Together they exercised what Leonard Bacon, a distinguished predecessor of Bruce Whittemore's, called "commanding influence" based on "the power of intellectual superiority combined with unquestionable moral worth." Davenport and Eaton greatly influenced the character of New Haven, and it is fitting that each of them should be the subject of a sermon celebrating the birth of the city and of this church, which was in the beginning virtually identical with the community.

Davenport was the spiritual leader of earliest New Haven, while Eaton managed its government. They shared a vision of what Christianity should and could be, and they were equally soldiers of Christ. Eaton was recognized by his contemporaries as wise, prudent, firm, and just. "On the one side," Cotton Mather tells us, "in his days did the righteous flourish; on the other side, he was the terror of the evil-doers." Such a man deserves our attention.

Theophilus Eaton was born in 1590 in Stony Stratford, Buckinghamshire, a village about seventy miles northwest of London. He was the eldest of nine children of the Reverend Richard Eaton, an Oxford graduate, who moved his family a year later to Coventry, where he became vicar of Holy Trinity Church. There Theophilus attended school with John Davenport, son of a merchant who had once been mayor of the city. The merchant's son eventually became a minister, whereas the minister's son, Theophilus Eaton, was drawn to a mercantile life, much to the disappointment of his parents. They reluctantly let him go to London, probably in 1604, as apprentice to a man who appears to have been a mercer, or dealer in textiles.

After the normal seven-year apprenticeship Theophilus became a London merchant who exported cloth to the northern countries and brought back lumber and naval stores. He was a member of the influential East-Land Company, chartered by the government to monopolize the Baltic trade, and at an early age he was elected its deputy governor. He lived in Denmark for several years and later as agent for the company made extended visits in 1631 and 1633 to the Polish seaports of Elbing and Danzig. He was certainly one of the most successful businessmen of his generation, and his ability was officially recognized by the king of England, who appointed him his commercial representative in Denmark, and by King Christian IV of the latter nation, who empowered him to make purchases in England for the Danish government.

The Reverend Richard Eaton died in 1616, leaving a large family and a small estate, and thereafter Theophilus supported his mother and gave frequent financial assistance to her other children. He married in 1622 but his wife died in 1626, and a year later he took a second wife, Ann, the daughter of George Lloyd, bishop of Chester, and widow of Thomas Yale, a member of an ancient and prominent family from North Wales. There were children by both marriages, and the Eaton household in New Haven, including servants, sometimes exceeded two dozen people.

Theophilus Eaton was a Puritan, as was his brother Samuel, a minister who suffered official disapproval because of his unwillingness to follow Anglican church ritual. After returning from his period of residence in Denmark, Theophilus joined St. Stephen's Church on Coleman Street in London, a parish in the commercial district which attracted important merchants who leaned toward religious nonconformity. Here he was reunited with his boyhood friend Davenport, who was the minister and an increasingly outspoken advocate of Puritan principles.

In 1633 William Laud, the champion of ecclesiastical orthodoxy, was elevated from bishop of London to archbishop of Canterbury. Davenport's position thereby became untenable, and he first went into hiding and then fled to the Netherlands, where he hoped to find satisfying employment as a minister to expatriate English families living in that prosperous country. His considerable reputation made him welcome there, but he turned out to be too much of a Puritan to suit the taste of his new audiences, and he finally returned in disguise to London.

Davenport and Eaton discussed the situation, took stock of England as it then was, and agreed that the only sensible thing to do was to migrate to the New World. They recruited a party of like-minded people from St. Stephen's and the counties adjacent to London, chartered the *Hector,* and set sail in 1637 for Boston, where they spent the winter before founding New Haven in April of 1638. They were the richest colonizing group that ever came to New England, and Eaton was first among them in wealth. He had, incidentally, a long-standing interest in this area as a refuge for men and women who shared his faith. He had been one of the

original investors in the Massachusetts Bay Company, and he was part-owner of the *Arbella,* the famous ship that carried John Winthrop to America in 1630.

Davenport and Eaton became what Mather called "the Moses and Aaron" of New Haven. They worked together without apparent disagreement, to the point where it is impossible to tell who actually made which decisions. Eaton never tried to dictate religious policy, whereas Davenport occasionally spoke out on political matters, but this may be more an indication of the primacy then assigned to church affairs than comment on the relative power of the two men. When the town was organized politically, Eaton was made the magistrate. When the colony was established in 1643, he was elected governor and was returned to office annually as long as he lived. Without question Theophilus Eaton was the head of civil government in New Haven.

The objective shared by the two leaders was, to quote from last year's sermon, "to form a church and commonwealth on a model more thoroughly Scriptural than could be found any place else on Earth." Their device was the Fundamental Agreement of 1639, which stipulated that only church members could hold office or even vote. Only one person spoke out against the severity of this regulation before it was adopted. That lone, mild dissenter, who soon went home to England never to return, was Samuel Eaton, surely a Puritan but, as it turned out, a less extreme one than his brother Theophilus or his fellow minister Davenport.

Contemporary writers tell us a great deal about Theophilus Eaton's character and his public manner. We hear of his "excellent princely face and port," his "gravity," and the "majesty" of his countenance. He was dignified, even grave, but among friends he was capable of "felicity and fecundity of harmless wit." "Not easily moved to passion," he nevertheless stood "unshaken in his principles." He was treated with immense respect, and it was a respect that he had earned.

From the records we learn how he conducted New Haven's public affairs. He may have been determined, but he was also cautious. He was conservative, even to the point of not allowing trial by jury, but he was rarely arbitrary, and he was an earnest seeker after justice. Untrained in the law, he tended as a judge to rely less on evidence than on firsthand knowledge of the malefactors brought before him. For example, when the evidence was insufficient he would properly but very reluctantly dismiss a known tippler accused of being drunk on a particular occasion, but he would then nag the miserable wretch about his generally evil ways. This was effective social control but not model courtroom procedure. Happily, he always ended up on the side of leniency. He was least successful as a diplomat. Stuyvesant complained about his arrogance, and the truth seems to be that he lived so long among people who looked up to him that he became unable to treat even heads of other colonies as political equals.

As Eaton grew older, he became increasingly devout. Upon arising in the morning he called his family to his study, where he read from the Bible and

prayed, and this solemn worship was repeated every evening. The keystone of his belief was an absolute reliance on the Almighty. When his much-loved dying son asked, "Sir, what shall we do?" Theophilus's faith dictated the answer: "Look up to God."

He was perhaps more than anything else a family man, taking his greatest pleasure in the intimate but large circle of close relatives who filled his New Haven mansion. "In the government of his family," Mather reports, "he was prudent, serious, happy to a wonder," adding that observers affirmed that "they never saw such a house ordered with more wisdom!"

Alas, Theophilus was denied complete domestic happiness and tranquility. His beloved mother and son both died. A daughter married and moved elsewhere. Theophilus, Jr., got into financial difficulties and wandered off to Ireland, where bankruptcy was perhaps less conspicuous than it was in New England. A more public disgrace was achieved by Governor Eaton's brother Nathaniel, who as the first head of Harvard College pioneered what eventually became a venerable American tradition, providing the students with food that they did not like. He was also found guilty of beating his usher with a heavy club while two servants held him. Removed from office, fined, and excommunicated, Nathaniel deserted his wife and fled to Virginia after drawing an impressive number of fraudulent drafts on his rich brother in New Haven. This black sheep then became in turn a drunkard, the deserter of a second wife, and an Anglican vicar. He died in England in 1674 in a debtors' prison.

As if all these griefs and embarrassments were not enough, the governor had a thoroughly unhappy second marriage. People in their own time wondered why he and Ann Lloyd Yale Eaton were so incompatible, and speculation has continued ever since. Was Ann, raised in a bishop's palace, temperamentally unsuited to life on the frontier, even in a house equipped with nineteen fireplaces? Was a bishop's daughter predestined to reject extreme Puritanism and thus the husband who adhered to it? Was she merely, as one scholar has suggested, "a discontented, peevish wife"? Or did she suffer from bad nerves? Cotton Mather thought so. Or perhaps, as minister Leonard Bacon argues, "she was either insane, or in that state of nervous excitement that borders on insanity."

There is another and much pleasanter theory that she was a sensible, astute, and thoroughly sane woman who developed serious doubts about New Haven Puritanism. Raised in the stimulating climate of Chester, where a reevaluation of the Reformation was in progress, she thought for herself and eventually rejected the beliefs of her husband and his friend Davenport. Dorothy Ann Lipson, a distinguished New Haven historian, believes in this theory. Personally, I like Ann Lloyd Yale Eaton and share Dorothy's belief in her. Furthermore she happens to be one of my ancestors, and to the extent possible I am anxious to eradicate insanity from the family tree.

What actually happened was that Ann Eaton read some books that convinced her that infant baptism was wrong. She formed the habit of leaving church when

the sacrament of baptism was being administered and finally stopped going altogether. She was publicly admonished by Davenport, and when she gave inadequate evidence of repentance, she was excommunicated on seventeen counts of "scandalous walking," which included charges of "violent, ungoverned" behavior toward her mother-in-law and stepdaughter. Davenport was clearly out to get her, and her husband obviously did nothing to protect her. This disagreeable story shows early New Haven and its governor in their least tolerant and least attractive postures.

It would be comforting if we could make final judgments about Davenport and Eaton and Mrs. Eaton and all the other men and women of earliest New Haven and about the bonds of love that drew them together and the misunderstandings and tensions that saddened them and separated them and kept them from the moral and spiritual perfection to which they all aspired. The unfortunate fact is, however, that we do not know the truth completely—this is the historian's special burden; we never know the truth completely. Thus there is a limit to what we can know and what we can dare to conclude about who they hoped to be and who in fact in this world of imperfectly realized intentions they actually turned out to be.

Eaton suffered public as well as private sorrows, for the colony that he founded did not prosper, and in his later years it became increasingly clear to most people that it might not even survive as a political entity. Facing ever-mounting odds, Theophilus never lost courage, and he went on year after year bringing dignity and integrity and uncommon ability to the governorship, always supported by the loyalty and enduring friendship of John Davenport. Eaton died suddenly on January 11, 1658, and was buried near the southwest corner of this edifice. The epitaph on his tomb strikes the modern ear as quaintly worded, but it does convey a sense of how revered he was by the people he had led for so long:

> Eaton, so brave, so pure, so wise, so just,
> The Phoenix of the world here hides his dust;
> Forget his fame New England never must.

FLOYD M. SHUMWAY once taught urban history at Columbia University, and he has published one book and several articles on that subject.

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Creating and Maintaining a Constitutional Democracy:
The Role of the Press 1787 and 1987

Ralph Gregory Elliot

This year America, and especially Connecticut, enters a five-year period when it will celebrate a number of historic events central to our existence. September 17, 1987, marks the bicentennial of the signing of our Constitution in Philadelphia; January 9, 1988, the bicentennial of Connecticut's ratification of it in Hartford; and April 30, 1989, of George Washington's first inauguration under it. Nineteen eight-nine is also a year uniquely special for Connecticut, for it marks the 350th anniversary of our own Fundamental Orders. And finally, after a historically fallow 1990, comes the bicentennial of the Bill of Rights in 1991.

As we embark upon this demidecade of celebration and rededication, Americans once again are caught up in a searching reexamination of the uses and abuses of power in our vaunted constitutional democracy. Whatever one's opinion may be on the virtues and wisdom, or lack of them, of the underlying policies reflected in the activities of various National Security Council personnel and the role of the president and senior administration officials in what has come to be called the Iran-Contra Affair, one has clearly the sense that the sort of accountability on which a representative democracy is premised has gone seriously awry. More accurately, it *almost* went seriously awry, and would have but for the alertness and pertinacity of the American press. For it was the press, the proverbial Fourth Estate, that dug and probed and published and hectored and persisted, that would not let go until it had ferreted out every fact it could.

That persistence is not viewed with uniform pleasure by all Americans. Many, not only as concerns the recent matter but whenever the press uncovers something someone has sought to conceal, decry what they perceive to be the arrogant intrusiveness of a busybody band of journalists who like nothing more than to stir up trouble and keep the cauldron of controversy bubbling. It sells papers, they say; it creates news media stars; it's great for ratings.

These complaints, often from the best-intentioned and most impeccably honest and patriotic of citizens, frequently lead to calls for curbing the press—for denying them access to people, places, and documents and for punishing them if they do gain access or publish what they see and hear. Suggestions include strengthening the laws of defamation and privacy and stripping the press and working journalists of certain civil rights they have come to enjoy over the years.

What those who issue these calls fail to appreciate is that when the press probes and digs and exposes the darkest secrets of governmental abuses to the glaring searchlight of public view, it is doing nothing more and nothing less than the job the Founding Fathers ordained for it under the Constitution, and especially under the First Amendment. They fail to appreciate the institutional role of the press under that amendment as an indispensable part of the democratic process by which the *people* ultimately decide who governs in this country and by which government is held accountable to an informed citizenry.

It is altogether appropriate, therefore, that we pause at the commencement of this five-year period, five weeks before the bicentennial of the convening of the delegates in Philadelphia in May of 1787, to examine the role of the press in America's constitutional scheme of things. And there is no better way to begin than to look at what the Founding Fathers knew and saw when they considered the press of 1787–91.

On April 19, 1775—the day the battles of Lexington and Concord were fought—there were thirty-seven newspapers publishing in the American colonies. In the six and a half years that ensued before Cornwallis surrendered at Yorktown in October of 1781, some of these died, others were born, and some of these died too; so that on that day of surrender in 1781, thirty-five papers were in publication.

What kind of papers were published during the Revolution? Nearly all were weeklies (none were dailies), mostly four pages in size. Paper was scarce, not only because the army's needs came first but also because after 1775 almost no paper could be imported from England. One of the lucky papers was the *Connecticut Courant*, forerunner of today's *Hartford Courant*: in late 1775 it had built its own mill in East Hartford. Indeed, by 1778 the *Courant* boasted a circulation of eight thousand (though there is some debate as to the accuracy of that extraordinarily high figure), considerably more than the previous high of thirty-five hundred claimed by the *Massachusetts Spy*.

While it has been estimated that newspapers at the outset of the Revolution went into fewer than forty thousand homes, that figure is an inaccurate gauge of their actual circulation, because each issue was passed from hand to hand and read aloud in coffeehouses, inns, and other public places. Their effect can be discerned in a passage from a letter that Ambrose Serle, temporarily in charge of the Royalist press in New York, wrote to Lord Dartmouth in 1776: "One is astonished to see with what avidity [colonial newspapers] are sought after, and how implicitly they are believed, by the great Bulk of the People. . . . Government may find it expedient, in the Sum of things, to employ this popular Engine."

What was the content of these newspapers? For much of the period from 1690—when the first one was published, in Boston—until 1765, there was little variation. It was mainly news from overseas, copied from English newspapers that took two months to get here by boat and that contained news from elsewhere

in Europe that was perhaps a month old when first published in London. News from other colonies, to the extent there was any, depended upon letters; though as more and more newspapers were established, they borrowed freely from each other, usually without benefit of attribution. Curiously, local news was fairly sparse.

The news that was published—from abroad, from other colonies, and locally—was primarily political, including a superabundance of speeches, proclamations, and other official public utterances. Crimes, fires, piracy, and the weather also vied for the limited space in these journals. While there were no formal editorials, political discussion was vigorously carried on through such devices as pseudonymous letters or essays addressed to the printer.

The watershed event in the history of the American press was the Stamp Act of 1765, which as it applied to newspapers required that they be printed only on stamped paper bearing a special tax, the equivalent of a penny for each copy of a four-page issue. This direct threat to their continued existence galvanized the colonial press. Suddenly newspapers were publishing full accounts of the proceedings of all colonial bodies—legislatures, town meetings, and others—giving maximum publicity to their cries for repeal. Letters to the paper condemning the tax were numerous and spirited. Stories of the furious reaction of mobs to the coming of the tax collectors and their attempts to collect the tax followed.

The Stamp Act was repealed in 1766 but was soon followed by the Townshend Acts, which also imposed a tax on paper. Again, the press reacted. The *Boston Gazette* and others were filled with articles from the friends of John and Samuel Adams that, gradually escalating, began accustoming the minds of their readers to ideas about freedom and independence never before dreamed of. The *Courant* published Thomas Paine's *Common Sense*, installments of his *The Crisis*, and later the proceedings, resolves, and addresses of the First Continental Congress.

By the time the Revolution began, the focus of press attention in America had significantly turned inward. Issues relating to the war predominated, including the doings of such patriot groups as the Committees of Correspondence, and the proceedings of town meetings and legislatures. The press had become an integral part of the struggle for independence. Its pages were filled with what today would be called op ed pieces, letters and essays about freedom and independence. Papers with Loyalist sympathies were not tolerated: freedom of the press meant freedom for the Patriot press. The press assumed the hortatory role of informer and inspirer of the people, giving them the information they wanted and needed about the course of their joint struggle for independence. Only through the press could the American people learn what was happening.

With the coming of peace in 1783, the American press entered a new era, much as its readers entered a new era of an independence no longer in doubt. More than 60 new newspapers were started in the mid 1780s; altogether, 450 new newspapers were begun in the period 1783–1815. Many of these lasted only a

brief time and expired, while others continued. Only a dozen American newspapers that had been important in the early years of the Revolution persisted to the end of the century or beyond; and four of these, remarkably, were in Connecticut—the *Connecticut Courant* of Hartford, *New London Gazette, Connecticut Centinel* of Norwich, and *Connecticut Journal* of New Haven.

The press of the 1780s became significantly different from its predecessors of colonial and revolutionary times. The latter usually had been set up as adjuncts to printers' establishments. By contrast, the papers of the 1780s—the papers known and read by the Founding Fathers, the papers whose activities and functions shaped their understanding of what freedom of the press was or could be—were increasingly becoming the spirited, acerbic, and often downright rude spokesmen of parties and factions and the organs of partisan political propaganda. These views frequently were the work of a new breed of American: the newspaper editor.

Seventeen eighty-three saw another first in American journalism—the first daily newspaper, the *Pennsylvania Evening Post,* which lasted but seventeen months. The next such daily, John Dunlap's *Pennsylvania Packet and Daily Advertiser,* fared considerably better, publishing for more than fifty years after its founding in 1784. A major impetus for the founding of daily papers—a phenomenon that had existed in London since 1702—was the need to provide merchants with timely news of the arrival of ships and the offerings of importers. Even papers so inspired in their origins, however, quickly reflected strong partisan bents; and soon papers whose raison d'etre was unabashed partisanship were being formed.

Newspapers of the time were acutely aware of their special place in the great scheme of a representative democracy, serving as the eyes and ears of a public to whom rulers were ultimately responsible. The following passage from a study of Connecticut papers of the 1780s shows how aware of their function and place Connecticut editors were:

> In all of the Connecticut papers studied, an average of two articles a year were devoted to discussing the concept of a "free press." Numerous other stories addressed the issue briefly, but instead usually praised the value of unfettered discussion or documented an instance of supposed suppression. About two-thirds of the "free press" articles were reprinted from newspapers outside the state. Almost all of the stories implied that a free press flourished in the new nation, and that discussion of political affairs was vigorous and widely accepted.
>
> Many of the articles emphasized the newspaper's role as a critical observer of government. One essay said that in order to maintain a free state ". . . the public measures, the public laws, and the legislative character should be submitted to the criticism and censure of every individual" (NHG&CM, Feb. 8, 1787). "If rulers err," asserted a writer, "the people should know of this misconduct, which will be ever printed in its true colours by the impartial Editor of a Newspaper" (AM, Dec. 21, 1787). Another said it "cannot with propriety be counted seditious" to speak freely of legislative matters that affect the people (CG, May 3, 1782). Articles emphasized the importance of open discussion of public issues, and the potential of the press as a vehicle to air grievances.
>
> The press was seen as the "palladium of liberties," protecting the rights of the citizens and serving as the dread of tyrants. One writer said "[t]he circulation of printed papers is not only one of the greatest blessings of freedom, but it is among the principal means of preserving it" (AM, Sept. 6, 1784). Another boasted that ". . . so far has it [the press] demonstrated itself a check on the tools of office—that it ever has attracted the eye of jealousy, and made the heart of tyranny to palpitate with horror" (CJ, August 16, 1786).
>
> On the other hand, concern was expressed in many articles over the behavior of the press. Several writers considered newspapers to be undisciplined, malicious and licentious. Many of the complaints centered on the attacks on individuals. One writer said "[t]here is nothing so scandalous to any Government, or held in great detestation by all good men, than defamatory anonymous papers and libels. . . ." He said the "calumniator" was "more pernicious to the community than the assassin" (CG, May 16, 1783).
>
> Yet no article suggested that the common law or the state defamation statute would be applied to control papers. Neither was there a suggestion for any form of government supervision. As one writer expressed it:
>
> > The liberty of the press is a subject not to be touched upon, but with trembling caution. Every student must abhor the thought of erecting the tribunal of a star-chamber in the republic of letters; every lover of his country must reject with disdain the proposal of silencing the voice of truth by the menace of authority; but at the same time, every friend of learning and mankind, who . . . understands their real interest, would rejoice to see the day when the advantages of the liberty of the press shall be unalloyed with those evils of licentiousness . . . (CJ, Jan. 25, 1786).
>
> Instead, writers often suggested the press itself should better control what it printed ("Freedom of Expression in Eighteenth Century Connecticut: Unanswered Questions," by Bill F. Chamberlin, in *Newsletters to Newspapers: Eighteenth Century Journalism,* Bond and McLeod, ed. [W.Va.U., 1977] pp. 254–55).

Nowhere was this function better illustrated than in the press's role in the evaluation of the Constitution. In February 1787 the Congress under the Articles of the Confederation had sent the states a request to send delegates to a convention to be held in Philadelphia in May to consider amending the Articles, which clearly were proving inadequate to the needs of a new nation. In those

days, the Connecticut General Assembly did not meet until May, and on May 12 it took up the request. The May 21 issue of the *Connecticut Courant* filled three long, wide, densely written columns composing an entire page of the paper with the debates of the legislators on the matter. (Since October 1783 the *Courant* had been publishing synopses of discussions in the State House of Representatives, an act regarded by some at the time as a dangerous novelty; and since 1786, the *Courant* had been reporting actual debates.) The legislators were identified and the arguments of each, pro and con, were reported in much greater detail than similar debates are reported today. The article concluded with the parenthetical observation "(Several other gentlemen spoke on the subject, but we have not been able to collect the purport of their observations)."

The Constitutional Convention convened on May 25 and labored until September 17. It is always a source of great discomfiture to devotees of today's Freedom of Information Act that the convention proceeded behind locked doors and was leakproof; and that this was a precaution insisted upon by those same Founding Fathers whose wisdom we now so uniformly revere. Despite the absence of any hard "news" during that long hot summer of 1787, the *Courant* published almost weekly articles on the need for a stronger union of the states. Finally, on September 17, the document was signed and submitted to Congress for transmittal to the states for ratification; and there then began one of the more glorious chapters in the history of American journalism.

In 1787 newspapers were published in seven Connecticut towns: Hartford (*Connecticut Courant* and *American Mercury)*, New Haven (*Connecticut Journal*, *The Chronicle*, and the short-lived *New Haven Gazette and Connecticut Magazine)*, New London (*New London Gazette)*, Norwich (*Norwich Packet*), Middletown (*Middletown Gazette*), Fairfield (*Fairfield Gazette)*, and Litchfield (*Litchfield Weekly Monitor)*. In at least two of these papers, the *Courant* and the *New Haven Gazette*, significant articles by delegates to the convention itself were to appear that instructed and informed the debates leading to ratification.

The *Courant* printed the full text of the Constitution on October 1, as soon after September 17 as it could, and thereafter admonished its readers "to shun all sham patriots, appearances notwithstanding, who counseled them to reject the new federal government." As the January 1788 ratification convention in Hartford approached, the *Courant* opined with openly pro-Constitution fervor, "The Convention, notwithstanding some Judasses, will be composed of the most respectable men in the state—men venerable for their age and abilities, and possessed of the public confidence."

Indeed, so openly did the printers of the *Courant* favor ratification that until the Constitution's text was published on October 1, the paper carried only one letter in opposition to a stronger federal government; and in the fifteen weeks between the publication of the text and its ratification by the 1788 convention, not a single letter opposing it was published, a fact that later led opponents of the Constitution to claim that Connecticut's papers had deliberately kept criticism and

dissent under wraps. The retort of both the *Courant* and the *American Mercury* was that no one had sent them any essay objecting to the Constitution.

A particularly significant series of thirteen pro-Constitution essays did appear in both the *Connecticut Courant* and the *American Mercury* between November 1787 and March 1788. These were the so-called Letters of a Landholder written by Oliver Ellsworth, one of Connecticut's three delegates to the Constitutional Convention (and the one who mysteriously left for home before it was signed on September 17). The focus of many of these essays was an attempt to persuade Connecticut's large farmer population of the virtues of the Constitution. From these essays, with their appeal to various constituencies, one can see the sorts of concerns bothering the people of the time and also the type of thinking and argumentation that probably occurred behind closed doors in Philadelphia the previous summer. The essays circulated widely in western New Hampshire and were reprinted as far south as Maryland.

Thirty-eight miles to the south in New Haven, another delegate, Roger Sherman, took quill in hand in November and December 1787 and wrote a series of five articles signed "A Countryman" that were published in the *New Haven Gazette and Connecticut Magazine*. These were followed by two letters from Sherman in the same paper in December signed "A Citizen of New Haven." Sherman, who had worked on and signed the Declaration of Independence and the Articles of Confederation as well as the Constitution, marshaled the arguments for ratification and vigorously defended the Constitution on a matter which elsewhere was engendering much opposition to it: the absence of a bill of rights.

Connecticut's ratification convention itself lasted only six days, from January 3 to the ninth, so that no more than one issue of the weekly papers of the time could have been published during deliberations. Several of those papers, however, did print accounts of some of the sessions, with extensive reports of a number of the principal speeches. Since no official records of the proceedings are known to exist, these newspaper articles are the basis of all that subsequent generations have known of the deliberations. At the time, however, the accounts served the populace as an intensive seminar in political science on the eve of the Republic. They also served to clarify and anticipate issues of constitutional interpretation that would arise later. For instance, Oliver Ellsworth, in his lengthy address of January 7, which was published in four Connecticut newspapers between January 14 and 21, quite clearly and specifically argued the right of federal courts to declare both federal and state statutes void if they were contrary to the national Constitution. (Ellsworth later became the author of the Judiciary Act of 1789, which established the federal judicial system, and chief justice of the United States.)

While Connecticut on January 9, 1788, became the fifth state to ratify, and by a strong vote (128–40), the going was not so easy in other states. In July, New Hampshire became the ninth state to ratify, thus making the Constitution

effective, but the vote was only 57–47; in Virginia it was 89–79; in New York, 30–27. In these states, too, the newspapers were filled with spirited essays on ratification; but unlike Connecticut, there the voices opposing ratification were as loud as those favoring it, and were raised by many undoubted and redoubtable patriots, like George Mason and Patrick Henry in Virginia, and Elbridge Gerry of Massachusetts. Despite Connecticut's pro-Constitution bias, their antiratification views had inevitably been disseminated in Connecticut as well: the *Courant* published Gerry's and Mason's objections on November 12 and 26, 1787, and the *Connecticut Journal* published Mason's on November 28. Indeed, Ellsworth took particular pains to rebut their arguments (see especially Landholder VI and VIII, December 10 and 24, 1787), and Sherman heaped his scorn upon "the declamations of *Cato—An Old Whig—Son of Liberty—Brutus,—Brutus junior—An Officer of the Continental Army*—the more contemptible *Timoleon*, and the residue of that rabble of writers" (A Countryman II, November 22, 1787).

Nowhere, of course, was the central role of the press as the informer of the seminal constitutional debate in American history clearer than in the publication of that landmark series of essays by James Madison, John Jay, and Alexander Hamilton we know as *The Federalist Papers*. These essays were first published as a series in a New York semiweekly called the *Independent Journal*. They were then reprinted throughout the country. The distinguished historian Clinton Rossiter has called *The Federalist Papers* "the most important work in political science that has ever been written, or is likely to be written, in the United States . . . the one product of the American mind that is rightly counted among the classics of political theory." Others have been equally lavish in their praise. *The Federalist Papers* have been the constant point of reference of the Supreme Court and all lower courts for two hundred years in attempting to divine the intent of the Framers.

It is all the more remarkable, therefore, to realize that this series of eighty-five essays was written by three men (Hamilton wrote two-thirds himself) under the pressure of imminent ratification conventions (New York's convention voted 30–27 to approve on July 26, 1788). What is even more remarkable is that these essays were essentially op ed pieces, published not in bound volumes for a learned and scholarly few to peruse, but in a semiweekly newspaper to be read, read aloud, discussed and argued about, and to serve an important societal function—to inform the judgments of a democratic society on an issue of crucial public importance, to define, refine, and clarify the issues in the most significant debate about the most fundamental questions of governance ever held in this country, before or since 1787. These were essays addressed to the public. They are the paradigm of what has come to be known as "political speech." And the press was the vehicle for their dissemination.

It is against this background as an indispensable actor in the drama of the Constitution's creation and ratification that the role of the press in American society has inevitably come to be understood and confirmed over the intervening

two hundred years by historians and jurists alike. For the press which the Founding Fathers knew and understood was a press whose role was central in the political process, and the term *political* was taken in its broadest sense to denote the affairs of the polity, of society, in all of its manifold forms. And the freedom of the press was inextricably bound up in that process with its companion in the First Amendment, freedom of speech.

That principle has been articulated in many places by many people. Most clearly and most magisterially it finds expression in the dissent of Mr. Justice Powell in *Saxbe v. Washington Post*, 417 U.S. 843, 862–64 (1974). That case involved regulations restricting personal interviews of certain federal prison inmates by newsmen. Dissenting from the Court's upholding of the regulations, Justice Powell wrote as follows:

> What is at stake here is the societal function of the First Amendment in preserving free public discussion of governmental affairs. No aspect of that constitutional guarantee is more rightly treasured than its protection of the ability of our people through free and open debate to consider and resolve their own destiny. As the Solicitor General made the point, "[t]he First Amendment is one of the vital bulwarks of our national commitment to intelligent self-government." Brief for Petitioners 47–48. It embodies our Nation's commitment to popular self-determination and our abiding faith that the surest course for developing sound national policy lies in a free exchange of views on public issues. And public debate must not only be unfettered; it must also be informed. For that reason this Court has repeatedly stated that First Amendment concerns encompass the receipt of information and ideas as well as the right of free expression. *Kleindienst v. Mandel*, 408 U.S. 753, 762 (1972); *Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367, 390 (1969); *Lamont v. Postmaster General*, 381 U.S. 301 (1965); *Martin v. City of Struthers*, 319 U.S. 141, 143 (1943).
>
> In my view this reasoning also underlies our recognition in *Branzburg* that "news gathering is not without its First Amendment protection. . . ." 408 U.S., at 707. An informed public depends on accurate and effective reporting by the news media. No individual can obtain for himself the information needed for the intelligent discharge of his political responsibilities. For most citizens the prospect of personal familiarity with newsworthy events is hopelessly unrealistic. In seeking out the news the press therefore acts as an agent of the public at large. It is the means by which the people receive that free flow of information and ideas essential to intelligent self-government. By enabling the public to assert meaningful control over the political process, the press performs a crucial function in effecting the societal purpose of the First Amendment. That function is recognized by specific reference to the press in the text of the Amendment and by the precedents of this Court:

> "The Constitution specifically selected the press . . . to play an important role in the discussion of public affairs. Thus the press serves and was designed to serve as a powerful antidote to any abuses of power by governmental officials and as a constitutionally chosen means for keeping officials elected by the people responsible to all the people whom they were elected to serve." *Mills v. Alabama*, 384 U.S. 214, 219 (1966).

Powell went on to refer to this as the "constitutionally established role of the news media" and noted that "the underlying right is the right of the public generally. The press is the necessary representative of the public's interest in this context and the instrumentality which effects the public's right" (*Id.*, at 864).

The informing function of the press was recognized by Mr. Justice Stewart four years later in *Houchins v. KQED*, 438 U.S. 1, 17 (1978). Writing a concurring opinion which created the Court's majority in that case, he noted:

> That the First Amendment speaks separately of freedom of speech and freedom of the press is not a constitutional accident, but an acknowledgement of the critical role played by the press in American society. The Constitution requires sensitivity to that role, and to the special needs of the press in performing it effectively. . . . In short, terms of access that are reasonably imposed on individual members of the public may, if they impede effective reporting without sufficient justification, be unreasonable as applied to journalists who are there to convey to the general public what the visitors see.

Justice Stewart had, some four years earlier, articulated the basis for this view in a talk delivered at the sesquicentennial convocation of his alma mater, the Yale Law School. In a talk entitled "Or Of The Press," first published in the Yale Law Report but most frequently cited from its publication in 26 Hastings L.J. 631 (1975), he noted that the press was the only *institution* (as contrasted to individuals) to which the Constitution granted rights:

> It seems to me that the Court's approach to all these cases has uniformly reflected its understanding that the free press guarantee is, in essence, a *structural* provision of the Constitution. Most of the other provisions in the Bill of Rights protect specific liberties or specific rights of individuals: freedom of speech, freedom of worship, the right to counsel, the privilege against compulsory self-incrimination, to name a few. In contrast, the Free Press Clause extends protection to an institution. The publishing business is, in short, the only organized private business that is given explicit constitutional protection.
>
> This basic understanding is essential, I think, to avoid an elementary error of constitutional law. It is tempting to suggest that freedom of the press means only that newspaper publishers are guaranteed freedom of expression. They

are guaranteed that freedom, to be sure, but so are we all, because of the Free Speech Clause. If the free press guarantee meant no more than freedom of expression, it would be a constitutional redundancy. Between 1776 and the drafting of our Constitution, many of the state constitutions contained clauses protecting freedom of the press while at the same time recognizing no general freedom of speech. By including both guarantees in the First Amendment, the Founders quite clearly recognized the distinction between the two.

It is also a mistake to suppose that the only purpose of the constitutional guarantee of a free press is to insure that a newspaper will serve as a neutral forum for debate, a "marketplace for ideas," a kind of Hyde Park corner for the community.

In setting up the three branches of the federal government, the Founders deliberately created an internally competitive system. As Mr. Justice Brandeis once wrote:

> The [Founders'] purpose was, not to avoid friction, but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy.

The primary purpose of the constitutional guarantee of a free press was a similar one: to create a fourth institution outside the government as an additional check on the three official branches.

For centuries before our Revolution, the press in England had been licensed, censored, and bedeviled by prosecutions for seditious libel. The British Crown knew that a free press was not just a neutral vehicle for the balanced discussion of diverse ideas. Instead, the free press meant organized, expert scrutiny of government. The press was a conspiracy of the intellect, with the courage of numbers. This formidable check on official power was what the British Crown had feared—and what the American Founders decided to risk.

It is this constitutional understanding, I think, that provides the unifying principle underlying the Supreme Court's recent decisions dealing with the organized press.

The role of the press as the "surrogate for the public" was recognized in the landmark case of *Richmond Newspapers, Inc. v. Virginia*,448 U.S. 555 (1980). That case held that the First Amendment required criminal trials to be open to the press and public. Recognizing that the masses could not personally attend trials, the Court acknowledged that "people now acquire [knowledge] chiefly through the print and electronic media." The Court recognized as a "core purpose" "assuring freedom of communication on matters relating to the functioning of government."

The role of the press as the watchdog of government has been a bedrock principle of First Amendment analysis. In the context of a criminal trial its "presence historically has been thought to enhance the integrity and quality of

what takes place" (*Id.*, at 578). Press observation and reporting act "as a safeguard against any attempt to employ our Courts as instruments of persecution" or "for the suppression of political and religious heresies" (*In re Oliver*, 333 U.S. 257, 270 [1948]).

The societal function of the press at trials has also been recognized:

> The early history of open trials in part reflects the widespread acknowledgement, long before there were behavioral scientists, that public trials had significant community therapeutic value. . . . [P]eople sensed from experience and observation that, especially in the administration of criminal justice, the means used to achieve justice must have the support derived from public acceptance of both the process and its results. [*Richmond*, at 570–71]
>
> To work effectively, it is important that society's criminal process 'satisfy the appearances of justice' . . . and the appearance of justice can best be provided by allowing people to observe it. [*Id.*, at 571–72]

This right to report has also been referred to as "the structural interest served in opening the judicial system to public inspection" (Brennan, J., concurring):

> the First Amendment embodies more than a commitment to free expression and communicative interchange for their own sakes; it has a *structural* role to play in securing and fostering our republican system of self-government. . . . Implicit in this structural role is not only "the principle that debate on public issues should be uninhibited, robust, and wide-open," *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964), but also the antecedent assumption that valuable public debate—as well as other civic behavior—must be informed. The structural model links the First Amendment to that process of communication necessary for a democracy to survive, and thus entails solicitude not only for communication itself, but also for the indispensable conditions of meaningful communication. [*Id.*, at 587–85]

This structural role of the press in the process of American democracy was articulated anew in 1982 in *Globe Newspapers Co. v. Superior Court*, 457 U.S. 596, 604–05, another access case, as follows:

> Of course, this right of access to criminal trials is not explicitly mentioned in terms in the First Amendment. But we have long eschewed any "narrow, literal conception" of the Amendment's terms, *NAACP v. Button*, 371 U.S. 415, 430 (1963), for the Framers were concerned with broad principles, and wrote against a background of shared values and practices. The First Amendment is thus broad enough to encompass those rights that, while not unambiguously enumerated in the very terms of the Amendment, are nonetheless necessary to the enjoyment of other First Amendment rights. *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. at 579–580. and n. 16 (plurality opinion) (citing cases); *id.*, at 587–588, and n. 4 (BRENNAN, J., concurring in judgment). Underlying the First Amendment right of access to criminal trials is the common understanding that "a major purpose of that Amendment was to protect the free discussion of governmental affairs," *Mills v. Alabama*, 384 U.S. 214, 218 (1966). By offering such protection, the First Amendment serves to ensure that the individual citizen can effectively participate in and contribute to our republican system of self-government. See *Thornhill v. Alabama*, 310 U.S. 88, 95 (1940); *Richmond Newspapers, Inc. v. Virginia*, 448 U.S., at 587–588 (BRENNAN, J. concurring in judgment). See also *id.*, at 575 (plurality opinion) (the "expressly guaranteed freedoms" of the First Amendment "share a common core purpose of assuring freedom of communication on matters relating to the functioning of government"). Thus to the extent that the First Amendment embraces a right of access to criminal trials, it is to ensure that this constitutionally protected "discussion of governmental affairs" is an informed one.

What is clear from all of these cases, and the many others that could be cited, is that the role the press played in the unfolding of our Constitution's birth—informing and educating the populace concerning matters they ought to know about if they were to play intelligently their ordained role as the ultimate decision-makers—has evolved into the common understanding of the role of the press today *and* the principled basis for the rights enjoyed by the press under the First Amendment. When they drafted the Bill of Rights, the members of the First Congress wrote against a background of a vigorous press serving as the principal means of informing people about what was happening in government and society generally, and as the principal molder and shaper of public opinion.

The press, then—independent, and dependent for its credibility on that independence—became, in a sense, the indispensable handmaiden of government in a representative democracy, explaining the governors to the governed and vice versa. Its pages became the medium for discussion and discourse, informing, reasoning, haranguing, cajoling. It went where people found it impracticable to go, saw and heard what was going on, and reported that to its readers. It published their reactions to this information, reactions often leading to new actions by government, which it then dutifully reported as well, in a never-ending continuum of communication.

The role of the press in 1987 thus has its roots firmly in the role of the press in 1787. Those roots are planted deep in the soil of American constitutional democracy. The continued viability and vitality of that democracy, in turn, depend upon the ability of the press effectively to play its constitutionally recognized (indeed, its constitutionally *assigned*) role in the unfolding American pageant.

RALPH GREGORY ELLIOT is a partner in the Hartford office of Tyler Cooper & Alcorn and is Adjunct Professor of Law at the University of Connecticut School of Law, where he has taught since 1973. A graduate of Yale University and Yale Law School, he is the immediate past president of the Connecticut Bar Association and is Chairman of the United States Constitution Bicentennial Commission of Connecticut. He has written and taught extensively on issues of constitutional law, and in particular on the First Amendment and the freedom of the press.

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The New Haven Paint and Clay Club

by Jane Allinson

Art associations tend to be loosely knit organizations comprised of professional and amateur artists as well as persons who appreciate, but do not create, fine art. Most associations have been established to hold exhibitions that serve as a showcase for members' work. They have provided exhibition space and community involvement for the members and an opportunity for art lovers to participate in the local art community. Connecticut has a history of active art associations, from the Art Society of Hartford (founded in 1877) to the present. Among the oldest active groups in the state is the New Haven Paint and Clay Club.

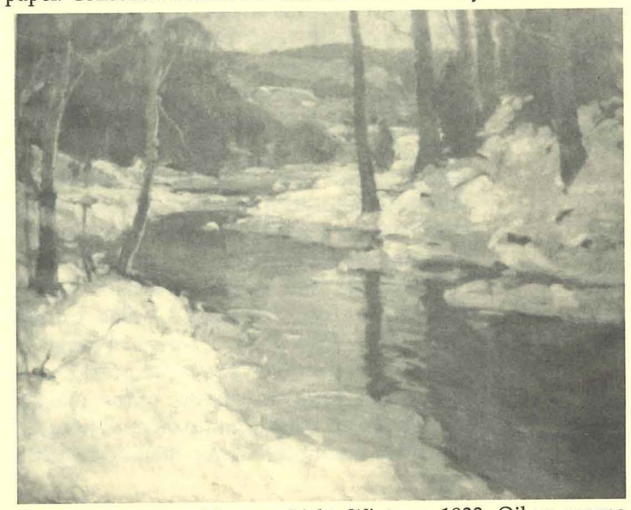
At the turn of the nineteenth century, there were few opportunities for a New Haven artist to exhibit his or her works. The Yale School of Fine Arts (1866) and the University's Trumbull Gallery (1832) were not available for private exhibitions. Only one art society operated at that time—the New Haven Brush and Palette Club, which had been established in 1898 to provide shared studio space and models for its members.[1] It was, however, primarily a working group. Since there was no exhibition space and no society to provide one, clearly there was a need for an exhibiting art association.

On May 4, 1900, a group of artists met to form such a group at the New Haven studio of Mary Thompson.[2] The principal founders were George Albert Thompson, John I. H. Downes, Frank C. Boardman, Mary Thompson, and George Langzettel.[3] The first president was G. A. Thompson, and G. H. Langzettel, clerk and curator of the Yale School of Fine Arts, was the secretary and treasurer. Mary Thompson and John I. H. Downes composed the rest of the executive committee. Four members—Edith Schwab, Mary Hamilton Hadley,

Robert Brackman. *Head of Rochelle*. c. 1935. Oil on canvas. Collection of the New Haven Paint and Clay Club.

Ethel Stauffer. *The Easter Bonnet*. c. 1957. Oil on canvas. Collection of the New Haven Paint and Clay Club.

Minna Walker Smith. *Blue and Gold*. c. 1933. Watercolor on paper. Collection of the New Haven Paint and Clay Club.



Emile T. Gruppe. *Afternoon Light, Winter*. c. 1933. Oil on canvas. Collection of the New Haven Paint and Clay Club.

Edith Dean Weir, Harriet Roosevelt Richards[4]—served on a social committee that conducted the formal opening receptions for the exhibitions. Many of the founders were affiliated with the Yale School of Fine Art.[5]

A high degree of motivation and efficiency permeated the group. First, they doubled their membership by having each artist ask another to join. Within seven months of the initial meeting, the New Haven Paint and Clay Club held its first exhibition. It took place December 3-13, 1900, in a store room of the Hymeon Press on Pitkin Lane[6] and featured 107 works by 27 artists. High standards were set for the exhibitions. From the outset, entries were not limited to works by local artists; nonmembers were invited to exhibit. In view of the founders' close connection with the Yale School of Fine Art, it is not surprising to find that works by the school's director, John Ferguson Weir, were exhibited in the first and in most subsequent shows. Weir became an early member.

Invited artists often had national and even international reputations: Leonard Ochtman (1902), Julian Alden Weir (1902, 1904, 1906), Emil Carlson (1903), Walter Griffin (1904), John La Farge (1904, 1907), Edward Steichen (1906), Childe Hassam (1905), Charles Noel Flagg (1905), Francis Luis Mora (1906), Frank Benson (1908), Edmund Tarbell (1908). Artists sent works from New York, Massachusetts, and various parts of Connecticut. In addition, works from private collections were loaned to the exhibitions, the most notable that of Burton Mansfield, who showed works by John Singer Sargent (1907), James Abbott McNeill Whistler (1907, 1910), Childe Hassam (1914), Henry Ward Ranger (1907), Thomas Dewing (1909), Willard Metcalf (1909), John Twachtman (1914), George Inness (1909), and Charles Harold Davis (1907, 1910). Loans from private collections included works by other prominent artists.[7] Although these works were not available for sale, they served to lend prestige to the exhibitions.

The list of painters whose works were shown during the first decade of annual exhibitions consists of most of the important American painters of the period. Impressionist works predominated. During a period when the style was considered modern, it was well represented in the New Haven Paint and Clay Club exhibitions. Ashcan school artists like Bellows and Luks were also shown. Clearly the selection juries were sympathetic to modern trends in painting.

Another feature of the exhibitions was their openness in terms of media represented. There were no restrictions, as in the Connecticut Academy of Fine Arts in Hartford (1910), which was limited initially to oil paintings. In the earliest exhibitions as well as in subsequent ones many kinds of works were hung. The first New Haven Paint and Clay Club exhibition catalogue listed oil paintings, bas-reliefs, bookplates, sketches, an illustration, and miniatures. In the next show (1902), charcoals, auto-lithographs, a poster, an advertisement design, pastels, and American Opalescent glass were added. The fourth exhibition (1904) included a monotype, and the seventh (1907) and eighth (1908) had photographs. Architectural drawings were in the ninth show (1909); black-and-white and color etchings in the eleventh (1911). Textiles were shown in 1923.

(Currently sculpture, oils, watercolors, graphics, acrylics, and mixed media are allowed.) Although oil paintings have been the predominant medium in the shows, the diversity of works accepted and displayed has been impressive.

The high quality of the annual exhibitions attracted new members and public support. No fees were charged to attend or exhibit in the first and in most subsequent shows. By 1911 there were 40 active and 150 associate members.[8] The number of works exhibited in 1912 increased to 203, nearly twice that in the first show.[9] The list of active and associate members expanded and continued to do so throughout World War I. Public interest also grew. In 1915, some 3,100 people attended the fourteenth annual exhibition.[10] In response to public interest, a fall exhibition of little pictures was added in 1917.

After the first two decades, private loans to the exhibitions became less frequent. It is probable that enough works were submitted by artists to maintain the exhibition standards. In 1922, half of the works shown were by members, half by nonmembers.[11] Members contributed slightly less than half of the works shown in 1923 (56 versus 63).[12] The proportions are roughly equal during this decade. Most awards were not made upon the basis of membership or region. Many Connecticut artists who neither resided in the New Haven area nor belonged to the club exhibited paintings and received awards, a characteristic that continues.[13] Although most awards went to Connecticut artists, several went to nonresidents with national reputations: Ernest Watson (New York, 1928); William Lester Stevens (New Jersey, 1929); Anthony Thieme (Massachusetts, 1931); Arthur Meltzer (Pennsylvania, 1931); Eliot O'Hara (New York, 1931); Harriet Lumis (Massachusetts, 1932); Josef Presser (Pennsylvania, 1935); Wuanita Smith (Pennsylvania, 1936).

In 1920, the New Haven Free Public Library gave the Club gallery space to display works of artists from all over the country.[14] The Club's Little Picture Exhibitions were also held here. Previously, exhibitions had been held wherever space was available, occasionally at the YMCA building, Trowbridge House (1912), but most often at the Yale School of Fine Art. By 1935, all of the Club's exhibitions were held at the New Haven Free Public Library.

In 1928 the Club incorporated, stating in its constitution, "Its object shall be to continue the work of Mary Thompson, John I. H. Downes, G. Albert Thompson, and the group of representative artists who in 1900 associated themselves for the purpose of promoting and encouraging the Fine Arts and holding public exhibitions of works of art in New Haven or elsewhere."[15] The following year cash prizes were awarded to works in the exhibitions. Each active member was allowed to exhibit one picture. Since there was still no charge for admission to the shows and, with few exceptions, no exhibition fees to nonmember artists, attendance and entries increased substantially. The Club's growth was, however, affected by a force beyond its control.

In her 1934 report, Club Secretary Anna H. Pierce, wrote, "The Paint and Clay Club has been active and has accomplished a great deal since our last annual

meeting in spite of the depression which has caused a marked diminution in its membership."[16] Membership and attendance dropped as well. In 1930 the Club had 507 members.[17] In 1933 membership was 399, and this dropped to 376 the following year.[18] Whereas in 1934, 233 artists submitted 485 works, in 1933, 221 artists submitted 390 works. Attendance at the exhibitions dropped from 7,447 in 1933 to 5,258 in 1934; catalogues purchased dropped from 480 to 378.[19] In 1934, only 2 pictures were purchased by private buyers, whereas 2 etchings and 3 paintings were bought by the Club's Endowment Fund.[20] The financial effects of the Depression were felt not immediately, but in the following several years.

The Club did not close its doors during the Depression. It limited the November Little Pictures Exhibition to works by members,[21] probably to provide more of a forum for local artists. By 1935, the annual spring exhibition became a juried show. Special exhibitions of members' work were held at irregular intervals.[22] The 1937 annual exhibition catalog stated, "Unless the Club increases its Associate and Sustaining Membership there can be no more exhibitions. Every member is urged to secure at least one new member."[23] The 166 associate and 51 sustaining members of 1937 grew to 825 and 250, respectively, by 1939.[24] Throughout and after the Depression, the Club continued to function and eventually regained the ground it had lost.

There was no interruption of exhibitions during World War II, although that is not to say the Club was unaffected. According to Rudolph Zallinger, "Since many of the more active and professional participants were missing, naturally it would reflect on the nature and the caliber of the early exhibitions."[25] The very continuity of the shows during troubled times was probably in itself helpful to the artists. In 1941 a trial rental program was instituted in which "members [might] rent exhibits on trial (with consent of the exhibitor) at a monthly fee of 5% of the price, assuming full responsibility. Exhibit will be returned through the Agent at the end of the rental period, if no sale is effected. Minimum rental fee is Two Dollars ($2.00) per month."[26] Unfortunately, there is no record of the success of the program. It does reflect the adaptability to adverse circumstances that allowed the Club to continue operations.

After the war there was increased activity in the Club. A new executive group made some important contributions. In 1948, Ethel Stauffer became president and organized a fund drive for associate members (dues-paying, nonartist contributors): "We had a long list of associate members. We had sustaining members. We filled our coffers.We needed the money. And they added the interest."[27]

In 1952 the Club constitution was amended so that all entries in the annual exhibition were subject to a Jury of Selection, "composed exclusively of competent authorities who are not members of the Club Incorporated."[28] The Reception Committee, which was essentially the original Social Committee, welcomed everyone to the formal exhibition openings. Attendance at the exhibitions was good. For example, a Christmas sale of Little Pictures held in 1952 drew 589 (500

invitations had been sent).[29] Throughout the 1950s the Club had exhibitors from America and abroad—the Philippines, Germany, and England.[30] According to Ethel Stauffer, executive officer throughout the fifties, "It was a worthwhile club. And we had some very good awards working for us . . . [also] it was the prestige."[31]

During the 1950s and 1960s, New York became the center of contemporary art. Paintings representing new trends were not exhibited widely in the New Haven area. The New Haven Paint and Clay Club, which had not been traditional initially, did not welcome the new wave of art. In response, several artists formed the New Group, which exhibited at the Yale Divinity School.[32] By that time, the New Haven Paint and Clay Club had lost much of its earlier closeness with the Yale School of Fine Art. Submissions to the Club's annual exhibition did not diminish, despite the group's conservatism. The decade of the fifties was one of continued growth and activity.

Throughout the first five decades of its existence, the Club did not have its own building. Meetings were held in members' homes or studios. Exhibition and storage facilities had been in private or public buildings. In 1961, the John Slade Ely house on Trumbull Street was donated to New Haven for art and humanitarian associations and to house public exhibitions.[33] After sixty-one years of operation, the New Haven Paint and Clay Club had a permanent home. The second floor was to provide space to exhibit the Club's permanent collection, purchased from the annual exhibitions with funds from an endowment fund established in 1929. Works had been placed in public buildings and in members' homes. Some of these pieces of art were exhibited in the Ely House; others remained where they had been. Unfortunately, no effort was made to reassemble the complete collection at that time. When a list was made in 1976, several of the works were no longer traceable. Public buildings that had housed some paintings had been demolished, and no record of the works remained. Some members had died or moved, and the works of art had not been returned to the Club. In some cases no photographs remain.[34] The extant collection consists primarily of purchase award works, predominantly by East Coast artists, executed between 1929 and 1986. It provides one of the most comprehensive records of art association activities in twentieth-century Connecticut.

The New Haven Paint and Clay Club has always been an important organization. Its early affiliations were with the Yale School of Fine Art, one of the oldest and most prestigious schools in the country. For the first two decades of the century, the school provided exhibition space, judges for the shows, and, doubtless, through such connections as J. F. Weir and its own prestige, influenced artists to show there. Students who had studied there were among the founders of the organization. Faculty members who joined often "felt that it was a very good proving ground, particularly for the younger, emerging, aspiring professional artists to submit and get rejected or admitted or whatever the case may be. But this was a very good experience."[35] Despite the earlier links with the

Yale School of Fine Art and the former presence of students and faculty in the Club, the association is not now close. In recent years, faculty associated with the Paier College of Art and Southern Connecticut State University have taken an interest in the Club's activities.

The New Haven Paint and Clay Club has been both innovative and traditional. Early exhibitions showed impressionist paintings that were daring for the time. In the 1940s, Cubistic works were rejected from the shows because they were considered "too modern."[36] By the 1950s, a newspaper review labeled the annual exhibition far removed from the "dernier cri" in artistic movements. According to Club officer Nan Tussing, neither was it "a bunch of bouquets and red barns."[37] Currently, the annual exhibitions include both traditional and contemporary school, realistic and nonrepresentational works; however it tends not to exhibit avant-garde works.[38]

Who were the members of the New Haven Paint and Clay Club, and what was the importance of the group? Throughout the Club's history, a number of its member artists have had national and even international reputations.[39] Essentially, however, the membership past and present is characterized by Rudolph Zallinger as "a mix of professional artists and very enthusiastic, even inspired, semi-professionals and some amateurs who were sufficiently competent and such to qualify for the organization."[40] Initially the members were mainly painters: now there are many professional illustrators, graphic designers, art instructors, some architects, and an equal number of painters.[41] Initial membership was based upon invitation. Subsequently, an artist had to have works accepted for two, subsequently three, juried exhibitions (not necessarily consecutive).[42] This makeup and standard are typical of other Connecticut art associations.

The historical significance of the New Haven Paint and Clay Club is difficult to separate from that of other associations. As with any other such group, the primary function is to hold exhibitions that gain exposure for aspiring and established artists. As a result, the artists can learn what their colleagues are doing, for most have little interaction professionally throughout the year. The secondary function is to provide a dialogue between the artist and the public. As Rudolph Zallinger points out, "If we get no response or no support, no participation, then we're defeated."[43] This reaction is the measure of an exhibition's success. The Club officers considered the 1986 show successful because it was a "really exciting show" that generated much comment and enthusiasm, despite the lack of any review by New Haven newspapers and despite the fact that only 2 works of 136 hung were sold to the public.[44] The quality of the exhibitions, not the number of sales, has been the concern of the Club from its inception to the present.

In conclusion, the New Haven Paint and Clay Club has made a continuing contribution to art in New Haven. For eighty-six years, professional, student, and Sunday artists have held a series of competent annual exhibitions and has

succeeded in "promoting and encouraging" the fine arts in New Haven. The association's goals have been met. In addition, the group has maintained a nearly complete set of archives and has established a permanent collection representative of the works shown during more than half a century of exhibitions. The association has been led by individuals who were able to maintain the Club through periods of economic, financial, historical, and stylistic changes. The New Haven Paint and Clay Club is one of the oldest exhibiting art associations in Connecticut and in the country.

JANE ALLINSON has written about printmakers and is currently researching the history of art associations in Connecticut.

The author wishes to thank the members of the New Haven Paint and Clay Club for their assistance.

NOTES

The archives of the New Haven Paint and Clay Club are located at the John Slade Ely House, Trumbull Street, New Haven, Connecticut. Photocopies of the material cited are located in the Connecticut Art Archive in Special Collections at the Homer Babbidge Library, The University of Connecticut, Storrs, Connecticut. Tapes and some transcriptions of the interviews are stored at The Center for Oral History, The University of Connecticut, Storrs, Connecticut. Copies of the transcriptions also may be found in the Connecticut Art Archive.

1. Interview with Ethel Stauffer, New Haven Paint and Clay Club, March 25, 1986, p. 13.
2. *14 Prominent Artists,* President's Message by Rudolph Zallinger (New Haven: New Haven Paint and Clay Club, 1976), unpaginated. "Eight New Haven artists attended the first meeting. Eight more artists were invited to join the club."
3. *Fiftieth Anniversary Exhibition* (New Haven: The New Haven Paint and Clay Club, 1950), unpaginated.
4. *First Annual Exhibition, December 3rd to 13th. 1900* (New Haven: New Haven Paint and Clay Club, 1900), unpaginated.
5. Telephone conversation with Ethel Stauffer, April 1, 1986. She stated that the New Haven Paint and Clay Club was started "by a group of Yale students."
6. *14 Prominent Artists.*
7. Birge Harrison (1905), Carleton Wiggins (1908), Robert Henri (1909), Cecilia Beaux (1909, 1912, 1913, 1922, 1926), Theodore Robinson (1909), William Sartain (1909), John Twachtman (1907), George Bellows (1916), Arthur B. Davies (1916), Albert P. Ryder (1916), George Luks (1916), Edwin Abbey (1916), Winslow Homer (1918), Paul Manship (1918), and the French etcher Charles Huard (1916). In addition, William MacBeth, owner of a prestigious New York gallery sent paintings available for sale for annual exhibitions in 1913 (Chauncy Ryder, Charles Hawthorne) and in 1915 (Colin Campbell Cooper, A. B. Davies, Ben Foster, F. C. Frieseke, C. Hawthorne, Hayley Lever, Richard E. Miller, F. K. M. Rehn, C. Ryder and Gardner Symons).
8. *American Art Annual* 9 (1911).
9. *Eleventh Exhibition, April 8th to 20th, 1912* (New Haven: New Haven Paint and Clay Club, 1912).
10. *American Art Annual* 12 (1915): 66. Sales were $120.
11. *Twenty-Second Annual Exhibition, April 4-April 24, 1922* (New Haven: New Haven Paint and Clay Club, 1922). Sixty-three by members and sixty-three by nonmembers.
12. *Twenty-Third Annual Exhibition, March 18-April 8, 1925* (New Haven: New Haven Paint and Clay Club, 1925). Fifty-six by members and sixty-one by nonmembers.

13. Awards can be traced by consulting the annual exhibition catalogues and volumes of the *American Art Annual.* No complete list is extant. At some point after the move to the John Slade Ely House in 1961, space problems restricted the juried show to works by artists who lived in New England and New York.
14. *Fourteen Prominent Artists.* The Club was allowed to use the West Hall.
15. *Constitution. New Haven Paint & Clay Club, Inc.,* Article I, Section 2.
16. New Haven Paint and Clay Club, Secretary's Report—May 1, 1933, to May 14, 1934. May 14, 1934, p. 1.
17. *American Art Annual* 27 (1930): p. 80.
18. Secretary's Report, May 1, 1933-May 14, 1934.
19. Ibid.
20. Ibid.
21. *American Art Annual* 22 (1915): p. 111.
22. Ibid.
23. *Thirty-Sixth Exhibition, March 8-16, 1937* (New Haven: New Haven Paint and Clay Club, 1937).
24. *Thirty-Eighth Exhibition, February 24-March 16, 1939* (New Haven: New Haven Paint and Clay Club, 1939).
25. Interview with Rudolph Zallinger, New Haven Paint and Clay Club, March 19, 1986, p. 7.
26. *Fortieth Annual Exhibition, March 12-29, 1941* (New Haven: New Haven Paint and Clay Club, 1941).
27. Interview with Ethel Stauffer, p. 6.
28. *Constitution,* Amendment May 26, 1952.
29. Secretary's Report to The New Haven Paint and Clay Club, December 10, 1952. Nine pictures were sold for a total of $141.
30. Interview with Ethel Stauffer, p. 8.
31. Ibid.
32. Interview with Nan Tussing and Arthur Guagliumi, The New Haven Paint and Clay Club, April 2, 1986. Not transcribed.
33. Interview with Ethel Stauffer, p. 4: "[Grace Ely] was a woman for all seasons. She was a terrific person and very public-spirited, very much interested in painting. She came to one of the opening shows of the Paint and Clay Club when I was president, and she said, 'Ethel Stauffer, if anything happens to me, I think I'm going to will my house to you for a gallery'—that is, to the Paint and Clay Club and the Brush and Palette Club [and] some of these other societies that crept in."
34. Interview with Nan Tussing and Arthur Guagliumi.
35. Interview with Rudolph Zallinger, p. 11.
36. Interview with Ethel Stauffer, p. 19.
37. Interview with Nan Tussing.
38. Interview with Arthur Guagliumi. He feels that the Silvermine Guild in Norwich is currently the most avante-garde art association in Connecticut.
39. This list of prominent members of the New Haven Paint and Clay Club is taken from the exhibition catalogues and lists compiled by Jordan Abeshouse, Ed Kasper, Nan Tussing, and Rudolph Zallinger.

Jordan Abeshouse
Ernest Albert, A.N.A.
John Taylor Arms, N.A.
Revington Arthur
Kenneth Bates
Johann Wolfgang Behl
Robert Brackman, A.N.A.
Francis Scott Bradford, A.N.A.
Chien Fei Chiang
Charles Chu
Joseph Correale, Jr.
Mario Dal-Fabbro
Ken Davies
John I. H. Downes
Leonard Evertee Fisher
Leonard E. Fisher
Gertrude Fiske, N.A.
Howard Fusiner
Henry Gasser
Henry Gorski

Emile A. Gruppe
Arthur Guagliumi
Herbert Gute
Aldro Hibbard, N.A.
Harry L. Hoffman, N.A.
Charles Hubbard
Ellen Wales Hutchinson
Alfred Heber Hutty, N.A.
Pamela Holeman
Albertus Jones
Deane Keller, F.A.A.R.
Susan Ricker Knox
Jak Kouatch
Harry Leith-Ross, A.N.A.
Hilda Levy
Joseph Lighthill
Sanford Low
Huc Mazelet Luquiens
George Marinko, Jr.
John Massimino
Hendrik Mayer, N.A.
Everett Meeks, A.N.A.
John Neff
John Henry Niemeyer
Rocco M. Nucera
June Owen
Nathaniel Ross Parke, N.A.
Charles Hovey Pepper
Peter Poskas
Carl Ringuis
Chauncy Ryder, N.A.
Eugene F. Savage, N.A.
Madeleine Sharrer
Wuanita Smith
Minna Walker Smith
George Snowden, A.N.A.
Janet Sorokin
Ethel Stauffer
William Lester Stevens, A.N.A.
Leo Stoutsenberger
George Albert Thompson
Henry Emerson Tuttle
Isabelle Tuttle
Edward C. Volkert, A.N.A.
Ernest W. Watson
Reynold H. Weidenaar
John Ferguson Weir
Ray Weiss
Frederic Whitaker, A.N.A.
Guy Wiggins, N.A.
Rudolph Zallinger
Minna Weiss Zellner

40. Interview with Rudolph Zallinger, p. 4.
41. Interview with Arthur Guagliumi. Note by Rudolph Zallinger.
42. *Constitution*, Article IV, Section 2, and Amendment, May 4, 1953.
43. Interview with Rudolph Zallinger, p. 15.
44. Interview with Nan Tussing and Arthur Guagliumi. In addition, three works were purchased for the permanent collection by the endowment fund—note by Nan Tussing.

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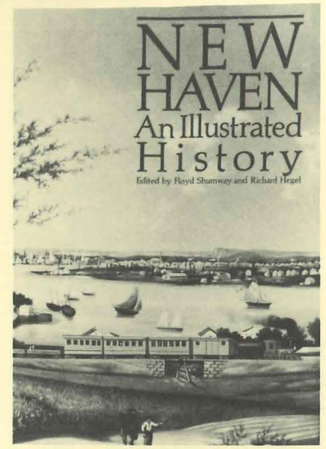

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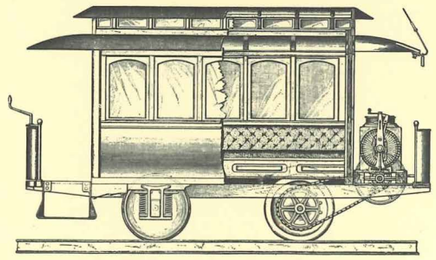

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